

Public Document Pack

Date of meeting Monday, 9th December, 2024
Time 7.00 pm
Venue Astley Room - Castle
Contact Geoff Durham - 742222



**NEWCASTLE
UNDER LYME**
BOROUGH COUNCIL

Castle House
Barracks Road
Newcastle-under-Lyme
Staffordshire
ST5 1BL

Economy & Place Scrutiny Committee

AGENDA

OPEN AGENDA

- 1 **APOLOGIES**
- 2 **DECLARATIONS OF INTEREST**
- 3 **MINUTES OF PREVIOUS MEETING** (Pages 3 - 6)
To consider the minutes of the last meeting of the Committee.
- 4 **NEWCASTLE-UNDER-LYME BOROUGH LOCAL PLAN 2040** (Pages 7 - 14)
- 5 **TOWN DEAL AND FUTURE HIGH STREET FUNDS UPDATE** (Pages 15 - 28)
- 6 **PLANNING ENFORCEMENT AND PERFORMANCE** (Pages 29 - 34)
- 7 **WORK PROGRAMME** (Pages 35 - 38)
- 8 **PUBLIC QUESTION TIME**

Any member of the public wishing to submit a question must serve two clear days' notice, in writing, of any such question to the Borough Council.

- 9 **URGENT BUSINESS**

To consider any business which is urgent within the meaning of Section 100B (4) of the Local Government Act 1972.

Members: Councillors Berrisford, Bettley-Smith (Vice-Chair), Burnett-Faulkner, Edginton-Plunkett, Gorton, Grocott, D Jones, Moss, Panter, Parker (Chair) and J Waring

Members of the Council: If you identify any personal training/development requirements from any of the items included in this agenda or through issues raised during the meeting, please bring them to the attention of the Democratic Services Officer at the close of the meeting.

Meeting Quorum: The meeting quorum for Scrutiny Committees is 4 of the 11 members.

SUBSTITUTE MEMBER SCHEME (Section B5 – Rule 2 of Constitution)

The Constitution provides for the appointment of Substitute members to attend Committees. The named Substitutes for this meeting are listed below:-

Substitute Members:	Adcock	S Jones
	Allport	Reece
	Dymond	Stubbs
	Fox-Hewitt	J Tagg
	Holland	Whieldon

If you are unable to attend this meeting and wish to appoint a Substitute to attend on your place you need to identify a Substitute member from the list above who is able to attend on your behalf

Officers will be in attendance prior to the meeting for informal discussions on agenda items.

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Agenda Item 3

Economy & Place Scrutiny Committee - 11/09/24

ECONOMY & PLACE SCRUTINY COMMITTEE

Wednesday, 11th September, 2024

Time of Commencement: 7.00 pm

[View the agenda here](#)

[Watch the meeting here](#)

Present:	Councillor Mark Holland (Chair)	
Councillors:	Burnett-Faulkner	Gorton
	Edginton-Plunkett	Grocott
Apologies:	Councillor(s) Bettley-Smith, Moss, Panter, Parker and J Waring	
Substitutes:	Councillor Rupert Adcock (In place of Deputy Mayor - Councillor Robert Bettley-Smith) Councillor Philip Reece (In place of Councillor Robert Moss) Councillor John Tagg (In place of Mayor - Councillor Barry Panter) Councillor Joan Whieldon (In place of Councillor Andrew Parker)	
Officers:	Allan Clarke Gordon Mole	Planning Policy Manager Chief Executive
Also in attendance:	Councillor Andrew Fear Councillor Stephen Sweeney	Portfolio Holder - Strategic Planning Deputy Leader of the Council and Portfolio Holder - Finance, Town Centres and Growth

1. APPOINTMENT OF CHAIR

Cllr Whieldon proposed that Cllr Holland be appointed as Chair in the absence of Cllrs Parker and Bettley-Smith. This was seconded by Cllr Burnett-Faulkner.

Resolved: That Cllr Holland be appointed as Chair.

2. DECLARATIONS OF INTEREST

There were no declarations of interest stated.

3. MINUTES OF PREVIOUS MEETING

Resolved: That the minutes of the previous meeting held on July 11th 2024 be agreed as a true and accurate record.

4. LOCAL PLAN UPDATE

The Planning Policy Manager presented the update report on the Draft Local Plan and informed members of consultation events that had taken place including Red

Economy & Place Scrutiny Committee - 11/09/24

Street Community Centre which was attended by 14 people. A total of 70 representations made by 44 residents had been received at the time of the meeting.

The consultation would run until the 7th October 2024. Comments could be made through completing a representation form on the consultation portal or contacting the Planning Policy team via email or postal mail.

The Chair invited members to formulate questions.

Cllr Gorton wondered if all consultation events would be dropping events as opposed to public meetings. The Portfolio Holder for Strategic Planning confirmed that it was indeed the case and that it allowed members of the public to have one-to-one discussions with officers.

Cllr Gorton asked if the representation form had been designed and stipulated by the inspector. The Planning Policy Manager advised that the Planning Inspectorate set out a preferred template to assist inspectors at future examinations. This should not stop residents from expressing views in other formats that they liked which would be processed and sent on to the inspector.

Cllr Grocott enquired about timescales and if any guidelines could be put on the website for people. The Planning Policy Manager responded that the plan was intended to be submitted for examination by the end of the calendar year subject to representations received. While a specific date could not be given yet some information could be added to the website in due course.

The Chair referred to the amendment proposed at Full Council that the consultation be delayed and asked if the portfolio holder or officer had any comments. The Chair also wondered whether delaying the process would have made any difference and if future changes were to be expected.

The Portfolio Holder for Strategic Planning commented that would the consultation had been delayed recent changes proposed in the draft National Planning Policy Framework (“NPPF”) would have applied including the requirement for a larger number of housing units. There were no indications that things would change further from the government side but the possibility was not to be discarded.

The Planning Policy Manager noted that in terms of the NPPF the consultation was currently taking place and would run until 24th September. Some transitional arrangements had been included within the draft NPPF’s package of proposals of which paragraph 226 which indicated that the 2023 version of the NPPF would apply in considering the proposals contained in the emerging Local Plan, given its status, at Regulation 19 stage.

Cllr Whieldon congratulated officers on their thorough work.

Resolved: That the update on the progress of developing a new Local Plan for the Borough be noted.

[Watch the debate here](#)

5. TOWN DEAL AND FUTURE HIGH STREET FUND

The Deputy Leader introduced the report on the delivery of the Town Deal and Future High Street Funds project.

The Chief Executive presented the report, highlighting latest updates on York Place, Castle Car Park, Aspire Housing, Midway Car Park, Knutton and Chesterton, the Zanzibar Enterprise Units, Sustainable Travel, Digital Infrastructure and Canal Pathways.

The Chair invited questions from members.

Cllr Reece wondered if any party had expressed an interest in running the new hotel. The Deputy Leader advised that Ibis had been in touch.

About the Midway Car Park, Cllr Reece asked if Capital and Centric had undertaken any assessment of the structure in term of viability. The Chief Executive confirmed that technical surveys had been carried out.

Cllr Gorton enquired about planters in the market. The Deputy Leader advised that there had been a delay in the delivery of the planters which were currently stuck in transit. While this was frustrating the planting season didn't start until October and therefore the consequences should be limited.

Cllr Grocott expressed his disappointment at the way things were progressing in Chesterton and Chatterley Valley, wondering about the withdrawal of the intended end user for plot D and how this would impact the Council. The Deputy Leader responded that the Council wouldn't be impacted as the site would not be developed without an end user, and it may well end up being beneficial. Cllr Grocott wished to know more about the current visibility in terms of funding. The Chief Executive noted that there were ongoing discussions with potential investors.

Cllr Adcock welcomed the Sustainable Travel update and the new circular route providing better access to Keele University and asked for clarification about the source of funding. The information would be confirmed in writing and circulated to members of the Committee.

Cllr Whieldon expressed her appreciation of the work carried out by Capital and Centric around the station and of the fact the heritage façade would be kept.

The Deputy Leader commented on the list of expenditures, drawing members attention to the £865,000 that was left to spend.

Resolved: That the report on the delivery of the Town Deal and Future High Street Funds projects be noted.

[Watch the debate here](#)

6. **WORK PROGRAMME**

Resolved: That the work programme be noted.

7. **PUBLIC QUESTION TIME**

There weren't any questions received from members of the public.

8. **URGENT BUSINESS**

There was no urgent business.

Economy & Place Scrutiny Committee - 11/09/24

**Councillor Mark Holland
Chair**

Meeting concluded at 7.34 pm

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**CORPORATE LEADERSHIP TEAM'S
REPORT TO ECONOMY & PLACE SCRUTINY COMMITTEE**

DATE: 09 DECEMBER 2024

Report Title: Newcastle-under-Lyme Borough Local Plan 2040

Submitted by: Deputy Chief Executive

Portfolios: Strategic Planning

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
To provide an update on the emerging Borough Local Plan.			
<u>Recommendation</u>			
That Committee:			
1. Members note the update on the progress of developing a new Local Plan for the Borough.			
<u>Reasons</u>			
To provide an update on the progress of developing a new Local Plan. To ensure that the process of adopting a Local Plan is undertaken in accordance with the requirements of the Planning and Compulsory Purchase Act and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).			

1. Background

- 1.1 The Local Plan sets the vision and framework for how the Borough will grow up to 2040. It sets out targets for the number of jobs and homes to be delivered in the Borough and provides a spatial strategy to guide development to the most sustainable locations. At its adoption, the Plan will form part of the statutory Development Plan for the Borough.
- 1.2 The Economy and Place Scrutiny Committee, at its meeting on the 12 December 2022, requested that a standing item be added to future meeting agendas to provide an update on the current position with regards to the preparation of the emerging Borough Local Plan.
- 1.3 At the Full Council meeting on the 24 July 2024, Members approved the Final Draft Local Plan (at Regulation 19 stage) and associated documentation for eight weeks consultation. Consultation on the Final Draft Local Plan started on the 12 August 2024 and ended on the 7 October 2024.

- 1.4** Following consultation and subject to the caveat in paragraph 1.5 below, the Council would then submit the Final Draft Borough Local Plan, comments received in their entirety (at Regulation 19 Stage) and the related evidence base to the Secretary of State for public examination. The examination of the Final Draft Borough Local Plan would then be anticipated to take place sometime in 2025.
- 1.5** However, if representations are received during the Final Draft Borough Local Plan Regulation 19 consultation stage that would materially impact on the overall Plan strategy or have a significant implication for the examination of the Plan, then a further report would be brought back to Full Council to allow Members to consider those representations and determine the Council's response.
- 1.6** Consultation on the Final Draft Borough Local Plan, at the Regulation 19 stage, is a more formal stage than that at Regulation 18 stage. The aim of this consultation stage is to seek views on whether the Plan as prepared and published meets legal and procedural requirements and also the 'tests of soundness' set out in paragraph 35 of the National Planning Policy Framework (NPPF). The tests of soundness are: -
- Is the plan positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - Is the plan justified – does it reflect an appropriate spatial strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - Is the plan effective – are the proposed plans and policies deliverable over the plan period. Is the plan based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - Is the plan consistent with national policy – does it enable the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.
- 1.7** All comments received at the Regulation 19 stage are sent in full to the Secretary of State on the submission of the Plan for consideration by an independent Inspector appointed as part of the Plan examination. The Inspector holding the examination will consider the evidence provided by the Council to support the Plan and any representations which have been put forward by local people and other interested parties. It is expected that the examination will include public hearing sessions.
- 1.8** There are three potential outcomes to the examination process:
- a) The Plan as submitted by the Council is found to be sound and legally compliant;
 - b) Changes (known as 'main modifications') to the Plan are considered necessary to make it legally compliant and sound; or
 - c) The Plan is deemed unsound and/or not legally compliant with any deficiency (ies) unable to be remedied through main modifications. In

this outcome, the Council is asked to withdraw the Plan from examination.

- 1.9** The outcome for a large proportion of plan examinations is (b), involving ‘main modifications. Proposed main modifications that the Inspector considers necessary are subject to public consultation for a period of six weeks during the examination. At the end of the examination the Inspector will send a report to the Council with their findings including final, recommended main modifications. After that, the Plan, incorporating the main modifications, can be adopted by the Council. Upon adoption the Plan would become part of the statutory development plan for the Borough and would replace most policies in the Joint Core Strategy 2009 and legacy Newcastle-under-Lyme Local Plan 2003.
- 1.10** In July 2024, the Housing Minister Matthew Pennycook MP wrote to the Planning Inspectorate to emphasise that Inspectors should not be ‘fixing’ local plans during the examination process and that pragmatism should only be used by Inspector’s where it is likely that a plan is capable of being found sound with limited additional work required to address soundness issues. This work should take usually no more than six months overall.
- 1.11** The government has recently consulted on changes to the National Planning Policy Framework. The consultation ended on the 24 September 2024. As part of the draft changes proposed, transitional arrangements were included that identified that those local plans that have reached Regulation 19 publication stage but not yet been submitted for examination could proceed to examination under transitional arrangements, if there was a gap of no more than 200 dwellings between the local planning authorities local housing need figure (identified nationally) and the Plan’s proposed housing requirement. On the basis of the proposals in the draft National Planning Policy Framework, the Council’s Local Plan can currently proceed, with a proposed housing requirement of 400 dwellings per annum, compared with 593 dwellings per annum under the draft local housing need figure. According to documents published alongside the recent 2024 Budget, the government is expected to publish the final version of the National Planning Policy Framework by the end of this calendar year.

2. Issues

- 2.1** Consultation on the Final Draft Local Plan took place from the 12th August to the 7 October 2024. The Council consulted on the Final Draft Local Plan, alongside the Sustainability Appraisal (incorporating Equality Impacts Assessment) and the Habitats Regulations Assessment. Local Plan evidence base documents were also published on the website, alongside several explainer videos and supporting documents, such as frequently asked questions.
- 2.2** Copies of the consultation documents were made available on the Council’s website and in hard copy form in libraries located across the Borough. Site notices were put up in relation to areas of land proposed for allocation in the Final Draft Local Plan.
- 2.3** The Council maintains a database of stakeholders who have responded to the Local Plan previously or have asked to be notified about the Local Plan. E-

mails and / or letters were sent out to notify consultees on the database about the consultation. E-mail notifications were also sent to Borough and relevant County Council Councillors, all Town and Parish Councils in the Borough and Members of Parliament (MPs) whose constituencies lie partly or wholly within Newcastle-under-Lyme Borough Council's administrative area.

- 2.4** The consultation was further promoted via social media and press releases and there were items in relation to the Local Plan covered on BBC Radio Stoke.
- 2.5** In addition to the aforementioned several 'drop in' consultation events were held throughout the consultation period. The 'drop in' events were held between 5pm and 7pm at various venues across the borough. The exception was an event undertaken at Newcastle-under-Lyme Library on 12th August where a pre-booked appointment could be made to speak to a planning officer between 10am – 6pm. Table 1 (below) includes details in relation to the consultation events including the number of attendees who completed a 'sign in' sheet for the respective events: -

Table 1: Details of Local Plan Consultation Events

Local Plan Consultation Exhibition 'drop in' event	Date of Event	Number of Attendees who completed a 'sign in' sheet
Newcastle-under-Lyme Library (by appointment only)	12 August 2024	0
Bradwell (Bradwell Lodge Community Centre)	14 August 2024	14
Loggerheads (Loggerheads Community Fire Station)	15 August 2024	49
Kidsgrove (Kidsgrove Town Hall)	20 August 2024	23
Madeley (Madeley Centre)	29 August 2024	8
Crackley & Red Street (Red Street Community Centre)	4 September 2024	14
Audley (Audley Methodist Church)	12 September 2024	93
Silverdale (Methodist Church)	16 September 2024	46
Keele (Sneyd Arms)	19 September 2024	36
Guildhall (NUL Town Centre)	24 September 2024	9

- 2.6** As a result of the consultation, the Council has received the following number of representations to the Local Plan: -
- 1,407 representations have been made to the Final Draft Local Plan from 427 individual people or organisations.
 - 5 representations have been made to the Sustainability Appraisal (incorporating the Equality Impact Assessment) from 5 people/organisations.
 - 2 representations have been made to the Habitats Regulations Assessment from 2 people/organisations.

- 2.7 As part of the figures quoted above, a representation from Talke Action Group was submitted with signatures of approximately 172 people.
- 2.8 All of the representations received to the Final Draft Local Plan can be viewed on the Council's consultation portal, which can be found here:- <https://consult.newcastle-staffs.gov.uk/kse/event/38096/peoplesubmissions/section/>. For the avoidance of doubt, all of the representations received will be provided to the Inspector on submission of the Local Plan for examination.
- 2.9 In terms of next steps, the policy team are currently reviewing the representations received and preparing a consultation report which will be submitted alongside the plan. This will seek to summarise the main issues raised to the consultation. There are also a number of other submission documents which are being prepared, including an update to the Duty-to-Co-operate statement of compliance alongside other relevant documents.

3. **Recommendation**

- 3.1 That the Committee notes the update on the progress of developing a new Local Plan for the Borough.

4. **Reasons**

- 4.1 To provide an update on the progress of developing a new Local Plan. To ensure that the process of adopting a Local Plan is undertaken in accordance with the requirements of the Planning and Compulsory Purchase Act and the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

5. **Options Considered**

- 5.1 The Council has previously expressed its clear intention through the approval of a Local Development Scheme (Local Plan Timetable) to adopt a new Local Plan providing a comprehensive set of up-to date planning policies for the Borough.

6. **Legal and Statutory Implications**

- 6.1 In accordance with Section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) ('the 2004 Act'), the Council has a statutory duty to prepare planning policies and maintain an up-to-date development plan.
- 6.2 Secondary legislation relating to the preparation of development plan documents is set out in the Town and Country Planning (Local Planning) (England) Regulations 2012.

7. **Equality Impact Assessment**

- 7.1 The Local Plan is supported by an Equality Impact Assessment as part of its Sustainability Appraisal. This will consider how development proposed and planning policies impact on different groups in the community.

8. Financial and Resource Implications

8.1 The preparation of the Local Plan is resourced through the Planning Policy budget and full use of the Local Plan reserve. Cabinet on the 15th October 2024 considered a report on the funding of the Local Plan Examination and resolved that the allocation of up to £200,000 be made from the Budget Support Fund to fund the Local Plan programme and examination.

9. Major Risks & Mitigation

9.1 Changes in National Policy, Legislation and Guidance - The Levelling-Up and Regeneration Act now has Royal Assent. The Act will have implications for the formulation of future Local Plans.

9.2 The government have consulted upon changes to the planning system including draft revisions to the National Planning Policy Framework. The consultation ended on the 24 September 2024. The implications of any changes will be kept under review during the development of the Local Plan

10. UN Sustainable Development Goals (UNSDG)

10.1 As the Local Plan is primarily focused on the use of land, overall levels of growth and the relationship to the environment and infrastructure then several of the UN Sustainable Development Goals will overlap with the aims of the Plan.



11. One Council

Please confirm that consideration has been given to the following programmes of work:

- One Commercial Council
- One Digital Council
- One Green Council

12. Key Decision Information

12.1 This report and the recommendations contained within it relate to the preparation of a new Borough Local Plan. Decision reports associated with the formal consultation and submission of the Local Plan will affect all wards in the Borough

13. Earlier Cabinet/Committee Resolutions

13.1 Cabinet – 15 October 2024 – Cabinet Decision Funding the Local Plan Examination - [Agenda for Cabinet on Tuesday, 15th October, 2024, 2.00 pm – Newcastle-under-Lyme Borough Council](#)

13.2 Council – 24 July – Council decision to consult on the Final Draft Local Plan - [Agenda for Council on Wednesday, 24th July, 2024, 7.00 pm – Newcastle-under-Lyme Borough Council \(newcastle-staffs.gov.uk\)](#)

14. List of Appendices

14.1 N/A

15. Background Papers

15.1 Evidence base documents, supporting the Local Plan can be viewed on the Council's website:- <https://www.newcastle-staffs.gov.uk/planning-policy/local-plan-evidence-base>

15.2 The Local Plan consultation pages can be viewed here:- <https://www.newcastle-staffs.gov.uk/planning-policy/local-plan>

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**CORPORATE LEADERSHIP TEAM'S
REPORT TO
ECONOMY AND PLACE SCRUTINY COMMITTEE**

9 December 2024

Report Title: Town Deal and Future High Street Funds Update

Submitted by: Deputy Chief Executive

Portfolios: Portfolio Holders - Finance, Town Centres and Growth

Ward(s) affected: All

<u>Purpose of the Report</u>	<u>Key Decision</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
To update Scrutiny Committee on the Town Deal and Future High Street Funds projects.	
<u>Recommendation</u>	
That:-	
1. Scrutiny Committee notes this report on the delivery of the Town Deal and Future High Street Funds projects.	
<u>Reasons</u>	
To update the Scrutiny Committee on the progress with the various projects that are being funded or part funded through the two Town Deals – Newcastle and Kidsgrove, and the Future High Street Funds for Newcastle Town Centre.	

1. Background

1.1 As reported to previous Scrutiny meetings, the Council has secured Future High Street Funding and Town Deal Funds for the redevelopment of several key regeneration sites across the Town Centre and the wider Borough.

2. Updates

2.1 Future High Street Fund

Work has been continuing in the development of the schemes for the past couple of years, and the current position regarding each is as follows:

2.1.1 Market improvements

The contract for public realm works to lower High Street completed in August and as previously reported 18 fixed stalls have been removed, leaving 27 fixed stalls which

have had new canopies fitted and some have been relocated into more appropriate areas. New temporary stalls have arrived for markets which require more than the remaining 27 fixed stalls.

Planning permission has now been received for the large digital screen and the Traffic Regulation Order for the 'Nipper Parking' has been agreed for implementation on the ground. Works to the project (including benching and planters) will be complete by the end of March 2025 in line with the funding deadline for spend.



2.1.2 York Place / Astley Place

The demolition / strip out contract for the removal of the building fabric, exposing the framework for future development continues at pace. A planning application has been submitted and is due for consideration in the New Year.

Cabinet agreed in November to award the next stage of the development – up to RIBA Stage 4 – which is the development of the construction drawings, selection of a contractor, confirmation of the construction price and the final programme, prior to any final award of the development agreement with Capital&Centric.

The development has had a new name selected going forward – Astley Place and this branding is now evident on site on the hoardings and will be used going forward.



Merrial Street / Red Lion Square



Internal Courtyard

Ryecroft / Rye Park

2.1.3 Castle Car Park

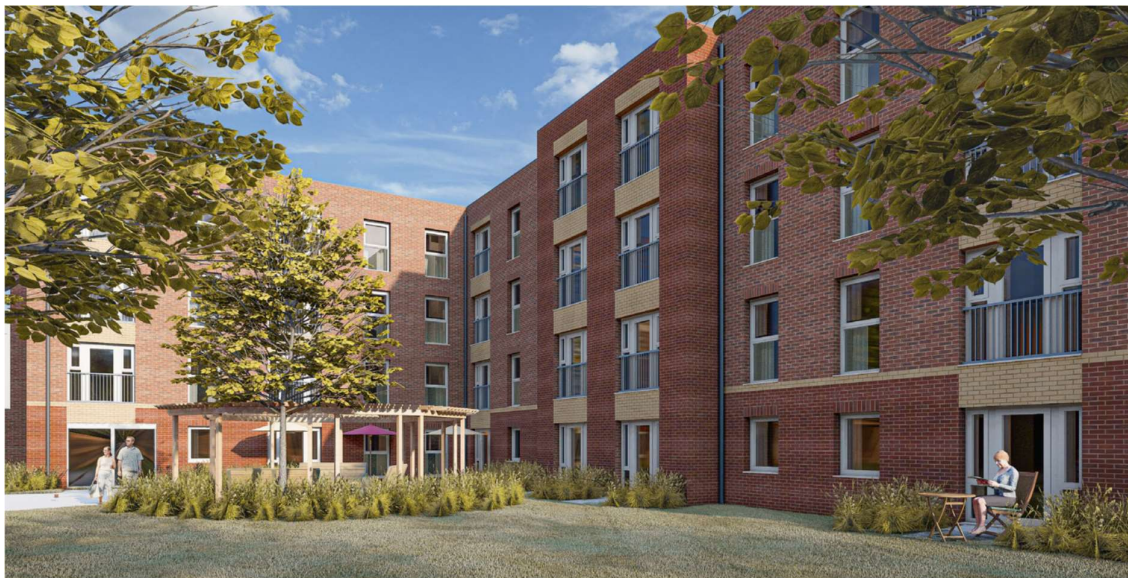
Construction continues on the project with completion imminent. Opening of the facility will be in early January, avoiding any confusion over car parking in the pre-Christmas period.

Directional signage, notices of change of car park, permit changes etc have all been organised and the Traffic Regulation Order to close Midway and open Castle Car Park have been approved and actioned.



2.1.4 McCarthy and Stone Residential Development

McCarthy and Stone have now submitted a planning application for their development to be determined in the New Year, and are in discussions with Capital&Centric to coordinate the start of ground works / level assignment across the wider site.



2.1.5 New Hotel / Apartment

Capital and Centric have submitted a planning application for the whole of the wider Ryecroft development submission, which includes provision for a new hotel / aparthotel. The planning application will be considered in the New Year and as noted above with the Astley Place development Cabinet agreed in November to award the next stage of the development – up to RIBA Stage 4 – which is the development of the construction drawings, selection of a contractor, confirmation of the construction price and the final programme, prior to any final award of the development agreement with Capital&Centric.



2.1.6 Aspire Housing

Aspire have agreed with Capital&Centric a site boundary and the works that will be undertaken to develop out residential units. As with the planning application and RIBA Stage 4, as noted above, the same dates and next steps apply for this development. Capital&Centric will develop this out on behalf of Aspire.



Aspire Residential Development



Capital&Centric Residential Development

2.2 Newcastle Town Deal

2.2.1 Midway Car Park / Carpark

Capital&Centric have now submitted the planning application for the new development and this is set to be determined in the New Year. As with the Astley Place and Rye Park schemes, Cabinet in November approved the next stage of the development. The delivery of RIBA Stage 4 works will be in the Spring of 2025 for all schemes with a view that constructions works will commence in the second to third quarter of 2025.



2.2.2 Astley Performing Arts Centre

The Philip Astley CIC and the Council are continuing their investigation for Phase 2 for the circus skills training space, for ariel work etc

2.2.3 Knutton and Chesterton

Knutton

Aspire Housing are planning to commence construction works in early 2025 for the residential development at the High Street site. Planning permission has been granted and the land transfer documentation has been signed, allowing development to begin.

Also, as above, the former community centre site development by Aspire is due to commence at the same time.

Whilst work on the extension to the Enterprise Centre will be complete in December 2024.

The plans for a village hall at High Street in Knutton were considered by the planning committee in September 2024 and approved. Support Staffs are currently sourcing a group to act as tenant / operators – there are several interests being considered and once selected and agreements signed, the construction of the Hall can be tendered.

The development of the football changing rooms at the Wammy continues and will be complete in February 2025.

Cross Street Chesterton

Aspire Housing has appointed a contractor to deliver the next phase, and the contractor is mobilising on site.

2.2.4 Zanzibar Enterprise Units

These are to be Council owned small enterprise units to rent to small and developing businesses on North Street. Morgan Sindall have been appointed by Aspire for the overall development. A planning application for the development is expected by the end of 2024, with construction starting in spring / summer 25 and completion of the units by the end of 2025.

2.2.5 Walking and Cycling Provision

Works for these schemes has begun through Staffordshire County Council with cycling improvements implemented along George Street, at Gallowstree Roundabout and works will commence along Barracks Road in summer 2025.

2.2.6 Sustainable Travel

Work continues with the travel information totems with the most recent installations being on bus stops in Merrial Street, whilst the team at Keele University are progressing plans for the new bus entrance with the aim of it being opened in early 2025. academic year. A new circular bus route the 'K' route commenced in September 2025, operated by D&G. This covers Keele, Knutton, Silverdale, Cross Heath and Chesterton running Monday to Saturday. As a result of plans for the new

bus entrance, First Potteries Ltd are now operating the new X25 service between Newcastle town centre and the University.

2.2.7 Digital Society – 53 Iron Market (Keele in Town)

Works continues with internal fit out works. Keele in Town is due to launch in at the end of 2024.



2.2.8 EV Charging Points

These works now form part of the new Castle Car Park project and will be in place ready for opening of the car park.

2.2.9 Digital infrastructure

A procurement exercise has completed and a contractor has been selected, ITS, and they are now working up the business case and proposals for the fibre network and the community hubs.

2.3 Kidsgrove Town Deal

2.3.1 Chatterley Valley

Works to the highway / entrance works to the new site continue and are now complete and the road is open. This element of the Town Deal project is complete.

2.3.2 Kidsgrove Train Station works

As reported previously there is currently an issue with the costs of car park underpinning due to mine works underground, which are being worked through. Network Rail are looking into costs and scope of works required and there is a suggestion that the HS2 cancellation will result in funds being transferred to this issue. We are awaiting feedback on several fronts before the scheme can progress.

2.3.3 Canal Pathways

Works by the Canal and Rover Trust are being tendered currently with works anticipated to commence in January 2025.

2.3.4 Shared Service Hub

An options appraisal is being undertaken on various new options for the hub on The Meadows, with some enterprise units, landscaping to the highway and an upgrade of space at The Kings Academy. This work is being presented to the Town Deal Board in December for review / comment.

3. Recommendation

- 3.1 Scrutiny Committee notes the progress made to date and continues to receive further reports at subsequent meetings.

4. Reasons

- 4.1 Generating efficiencies and additional income by adopting a more commercial approach is a key in the Council's plans for maintaining financial sustainability in the medium to long term. The Commercial Strategy provides a framework for managing and coordinating commercial activities, it is appropriate that the Council reviews key major projects when they are at an appropriate stage of business planning and contract award.

5. Options Considered

- 5.1 The Council continues to progress a number of strategies and approaches to ensure that it can maintain a financially sustainable future and deliver the key priorities set out in the Council plan.

6. Legal and Statutory Implications

- 6.1 The Local Government Act 2000 - powers to promote the economic, social and environmental wellbeing of the Borough.
- 6.2 The Council will need to make sure that its commercial activities are legally and state aid compliant, including having regard to the Public Sector Duty within the Equality Act 2010, statutory guidance on local authority investments and The Prudential Code for Capital Finance in Local Authorities.
- 6.3 All commercial projects and investment opportunities will be examined to ensure that they are within the Council's powers and legal implications will be identified on a case-by-case basis.

7. Equality Impact Assessment

7.1 The development of these projects does not create any specific equality impacts.

8. Financial and Resource Implications

8.1 The Council was awarded Future High Streets Fund funding in June 2021 of £11.0m to progress projects to help future economic growth. The full £11.0m has now been received of which £10.4 m has been spent at 18 November 2024, as shown below:

Project	Award (£000's)	Spend/Ordered (£000's)	Remaining (£000's)
Ryecroft / Site Preparation	3,756	3,444	312
Multi Story Car Park	3,500	3,500	0
York Place	3,015	2,925	90
Stones Public Realm	321	127	194
Market Stalls	76	76	0
Project Management	380	380	0
Total	11,048	10,452	596

8.2 £23.6m was awarded to the Council via the Town Deals Fund for Newcastle to enable a vision to improve communications, infrastructure, and connectivity in Newcastle-under-Lyme to become a reality. £16.0m has been received to date of which £4.9m has been spent as shown below:

Project	Award (£000's)	Spend/Ordered (£000's)	Remaining (£000's)
Digital Infrastructure	2,285	29	2,256
Sustainable Public Transport	3,421	93	3,328
Electric Vehicle Charging	400	-	400
Pedestrian Cycle Permeability	950	-	950
Transform Key Gateway Sites	3,810	655	3,155
Astley Centre for Circus	1,810	643	1,167
Digital Society	3,510	1,369	2,141
Heart into Knutton Village	3,534	1,435	2,099
Cross Street, Chesterton	2,955	-	2,955
Project Management	925	638	287
Total	23,600	4,862	18,738

8.3 £16.9m has also been awarded via the Town Deals fund for Kidsgrove to enable real and lasting economic benefits to be realised in Kidsgrove and the surrounding area. To date £14.5m has been received of which £6.9m has been spent as shown below:

Project	Award (£000's)	Spend/Ordered (£000's)	Remaining (£000's)
Kidsgrove Sports Centre	2,328	2,328	-
Chatterley Valley West	3,661	3,661	-
Kidsgrove Station	3,638	225	3,413
Shared Services Hub	6,183	169	6,014
Canal Enhancement	420	-	420
Project Management	670	548	122
Total	16,900	6,931	9,969

9. Major Risks & Mitigation

9.1 Management of risk is central to the Council's commercial approach and all potential activities will be assessed with due regard to the risks being taken. This will be in line with the Council's corporate approach to risk management.

10. UN Sustainable Development Goals (UNSDG)

10.1 These projects support the realisation of the following UNSDG objectives:-



11. One Council

Please confirm that consideration has been given to the following programmes of work:

- One Commercial Council
- One Digital Council
- One Green Council

12. Key Decision Information

12.1 The plans affect more than 2 wards and any future investments have the potential to have significant financial implications. These will be subject to further reports which may be key decisions.

13. Earlier Cabinet/Committee Resolutions

13.1 None.

14. List of Appendices

14.1 None.

15. Background Papers

15.1 None.

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CORPORATE LEADERSHIP TEAM'S
REPORT TO

ECONOMY AND PLACE SCRUTINY COMMITTEE

9 DECEMBER 2024

Report Title: **Planning Enforcement and Performance**

Submitted by: **Service Director Planning**

Portfolios: **Strategic Planning**

Ward(s) affected: **All**

<u>Purpose of the Report</u>	<u>Key Decision</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
To report on the Council's planning enforcement regime and related performance in the past 12 months.	
<u>Recommendation</u>	
That the Committee notes the contents of the report.	
<u>Reasons</u>	
To note the organisational arrangements for undertaking planning enforcement at the Council and to receive information on planning enforcement-related activity that has taken place over the past 12 months.	

1. Background

1.1 Planning enforcement is a discretionary power available to local planning authorities. To inform their assessment of cases and any actions they take, national guidance advises that Council's approve and adopt a planning enforcement plan setting out their approach to enforcement matters for the benefit of residents, communities, business and the development industry. The Council approved an updated Enforcement Plan in November 2023.

1.2 The Council's Planning service regulates development within the Borough. Development can constitute physical building works ranging from the construction of small extensions and other minor works through to major schemes such as the construction of new factories and housing estates. In addition, development can comprise the change of use of land or buildings, for example the conversion of an office building to a block of flats.

- 1.3 The majority of development in the Borough requires approval through the granting of planning permission, although some smaller works can be undertaken without the need to apply for consent from the Local Planning Authority (LPA) if they fall within the parameters of that which is deemed 'permitted development' pursuant to the Town and Country Planning (General Permitted Development) Order 2015. The legislation on permitted development is complex, in part because it addresses nearly all forms of development from household extensions through to infrastructure projects including highway and railway works and has been amended over the years.
- 1.4 Despite the requirement for developers (including residential householders) to secure approval through the appropriate planning legislation, it is a fact that there are incidences where development occurs which does not have the required approval. This might also be the case where consent has been gained but the development is not in conformity with the approved plans. This work is unauthorised and therefore the LPA can consider whether enforcement action is necessary to remedy any breach that has occurred.
- 1.5 Whilst the Council has a range of powers to enforce against unauthorised development, National Planning Policy Framework (NPPF) and the supplementary Planning Practice Guide (PPG), state that enforcement action is as stated above discretionary and furthermore LPAs should act proportionately in responding to suspected breaches of planning control.

2. **Issues**

- 2.1 Planning guidance states that all enforcement activity carried out by local planning authorities should be informed by an agreed Enforcement Policy/Plan. This plan should set out clearly how an Authority will respond to claimed breaches of planning control and what factors will be taken into account in determining whether or not to take any action after investigations have been carried out.
- 2.2 The Council formally approved a new and updated Enforcement Plan on 22nd November 2023. The plan can be viewed here [Local planning enforcement plan – Newcastle-under-Lyme Borough Council](#)
- 2.3 A report setting out details of the resources employed by the Council as regards implementing the Enforcement Plan and related-performance was presented to this Committee at its December 2023 meeting. It was agreed that a further report should be brought back to the Committee in 12 months time.

Resources and Performance

- 2.4 Enforcement activity is carried out by officers in the Council's Development Management team based in the planning service. There is a dedicated Planning Enforcement Officer engaged 100% of their time supplemented by planning officers who carry an enforcement caseload alongside their normal planning applications workload.
- 2.5 Cases to be investigated are either reported to the Council by residents, businesses or representatives of local communities including elected

members or are identified by officers of the Council as part of their normal business activities. Cases are logged and then allocated to an officer. In accordance with the approved Enforcement Plan cases are assigned a level of priority based on the nature of the claimed breach and which is linked to timescales for officers looking into the matter. Performance against these timescales is recorded and reported as part of the planning services performance including in the quarterly corporate performance management reports to Cabinet.

Key Statistics and Information

- 2.6** At the 1st November 2024 there were 279 open enforcement cases including 218 received after 1st October 2023.
- 2.7** In the current financial year 24/25 of the cases processed by the service to date: 67 have been determined not to involve any (or a significant) breach, in 2 cases it was deemed not expedient to take any action, 17 have generated a requirement for a retrospective planning application to be submitted and 10 required steps to be taken to rectify a proven breach. A further 9 cases require further investigations by officers.
- 2.8** It will be noted that no formal enforcement notices have been issued by the Authority in the preceding 12 months. Issuing such notices is very much seen as a last resort after identifying breaches and seeking to negotiate a satisfactory solution with the offending person or persons in question. That said where it is felt that this option needs to be taken it will be and the Council has engaged expert legal support to advise on the correct drafting of legal notices.
- 2.9** The threat of taking formal action can assist in discussions with people who have breached and this is noticeable in the figures in 2.7 above where offenders have been encouraged to rectify unapproved development and/or submit retrospective applications.
- 2.10** The approved Enforcement Plan sets out performance targets and we have a Planning Enforcement Key Performance Indicator (KPI) which is reported to members on a quarterly basis as part of a corporate performance management report. The KPI relates to percentage of complainants informed within the required timescales of any action to be taken on alleged breaches of planning control. The single percentage figure is based on a cumulative record of responses to what are judged low, medium and high priority breaches and their respective timescales within which officers are required to respond to the complainant. The overall target is 75% of cases within the stated timescales. For the year 23/24 performance overall was 64%. In the first two quarters of 24/25 the respective figures have been 61.5% and 64.4%.

Service Improvements

- 2.11** In the report to members last year reference was made to a number of improvements being made to the service aimed at streamlining processes and enhancing the customer experience. Subsequently the recording of alleged breaches has been made easier via online forms, officers have access to mobile technology which allows them to link to our IT systems whilst out on

site and we have introduced a more detailed system for monitoring and recording individual cases which aids both officers and management.

2.12 The overall level of enforcement cases reported to the service and on-going highlights the keen interest that residents of the borough have ensuring that development is authorised. This is a reflection both of the importance that people have for their local environments but also for the integrity of the planning system. The Council's Enforcement Plan signifies the importance that members place on this matter and this report addresses the issue of delivery against the objectives set out in the plan.

3. Recommendation

3.1 That the Committee notes the contents of the report.

4. Reasons

4.1 To allow the Committee to receive information on planning enforcement activity and review performance.

5. Options Considered

5.1 None.

6. Legal and Statutory Implications

6.1 The principal legislation underpinning planning enforcement is enshrined in the Town and Country Planning Act 1990 and related amendments. A raft of other associated legislation does however also apply in certain areas/forms eg. The Regeneration and Levelling Up Act 2023, The Localism Act 2011. The main policy guidance is set out in the National Planning Policy Framework and related National Planning Policy Guidance.

7. Equality Impact Assessment

7.1 The Council's approved Enforcement Policy and its subsequent implementation through the activities of the Authority are intended to address issues around unauthorised development. The approach advocated does not consider nor should it the individual perpetrators (alleged or otherwise) of such development nor seek to show bias toward or against any particular residents or local communities that are impacted.

8. Financial and Resource Implications

8.1 The costs of undertaking investigations and any related enforcement action(s) are intended to be met within existing Planning Service budgets.

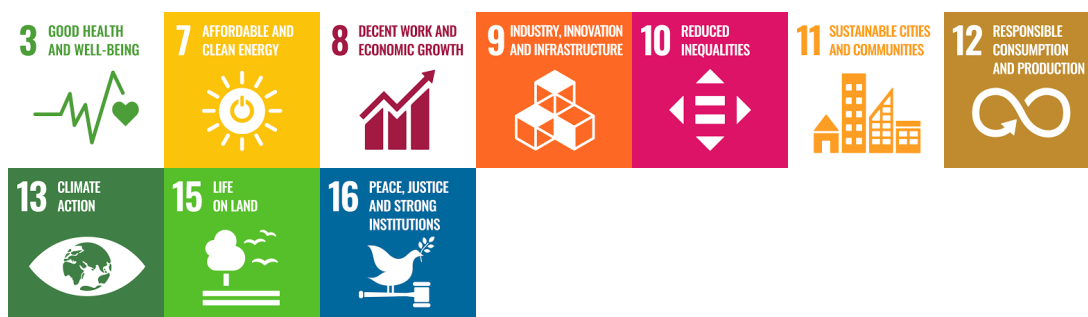
9. Major Risks & Mitigation

9.1 The risk of being challenged on the Council's approach towards planning enforcement is mitigated by having an up to date and relevant Enforcement Plan. A new plan was approved and adopted in 2023. The expectations of local residents and communities as to if, when and how enforcement activity will take place is a matter to be managed and informed by the aforementioned

plan. Being clear and consistent in assessing cases and reaching decisions will be the key here.

10. UN Sustainable Development Goals (UNSDG)

10.1 The planning system acts to provide for suitable and sustainable development that meets justified needs. Planning Enforcement powers allow local planning authorities to investigate breaches of planning control including developments which may not be sustainable in themselves or adversely affect the environment of a locality and living conditions.



11. One Council

Please confirm that consideration has been given to the following programmes of work:

- One Commercial Council
- One Digital Council
- One Green Council

12. Key Decision Information

12.1 Not applicable

13. Earlier Cabinet/Committee Resolutions

13.1 Cabinet agreed a new Enforcement Policy at its meeting held on 19th September 2023. [Decisions 19th-Sep-2023 16.00 Cabinet.pdf \(newcastle-staffs.gov.uk\)](#)

13.2 Council endorsed the new Policy and formally adopted it at its meeting on 22nd November 2023. [Decision at Full Council Nov 23](#)

14. List of Appendices

14.1 None

15. Background Papers

15.1 None.

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ECONOMY AND PLACE SCRUTINY COMMITTEE



Work Programme 2024/25

Chair

Cllr A.Parker

Vice-Chair

Cllr R. Bettley-Smith

Members

Cllrs D Jones, G. Burnett-Faulkner, J. Edgington-Plunkett,

R. Gorton, D. Grocott, R. Moss

B. Panter, J. Waring, J.Whieldon

Scrutiny Champion

Simon McEneny

**Portfolio Holders within the
Committee's remit**

Cllr S. Sweeney, Deputy Leader – Finance, Town
Centres and Growth

Cllr A. Fear – Strategic Planning

This committee scrutinises how the council influences, affects and interacts with the natural and built environment. It also scrutinises how the council influences, affects and interacts with the local, regional and national economy.

This Work Programme is set and reviewed at quarterly meetings of the Scrutiny Management Group. The Chair and Vice Chair also meet regularly with the Portfolio Holders to discuss this Work Programme. There is an opportunity for committee Members to discuss the Work Programme at each committee meeting. Part D of the Council's [Constitution](#) governs the scrutiny process.

For more information on the Committee or its work Programme please contact the Democratic Services:

✚ Geoff Durham at geoff.durham@newcastle-staffs.gov.uk or on (01782) 742222

✚ Alexandra Bond at alexandra.bond@newcastle-staffs.gov.uk or on (01782) 742211

Planned Items

DATE OF MEETING	ITEM	NOTES
9 th December 2024	<ul style="list-style-type: none"> • Local Plan Update • Planning Enforcement & Performance • Town Deal and Future High Street Fund 	

Special Meeting

North Staffordshire Local Air Quality – joint meeting with HWE Scrutiny Committee to be scheduled

Pending

BID Update – to be presented by the BID Manager

HS2 Update – Margaret Kirkland has informed us being awaiting instructions from the Government

Planning Enforcement & Performance to be re-added to the work programme around December 2024

Previous Items

DATE OF MEETING	ITEM	NOTES
15 June 2022	<ul style="list-style-type: none"> • HS2 – look ahead to the next 12 months on works impacting on the Borough • Sustainable Environment Strategy, Action Plan • Future High Streets Fund update & Town Investment Plans for Newcastle and Kidsgrove – update on progress 	

	<ul style="list-style-type: none"> • Borough Local Plan • Police presence in the town centre 	
1 August 2022	<ul style="list-style-type: none"> • Borough Local Plan Call-In 	
1 September 2022	<ul style="list-style-type: none"> • Recycling and Waste Services Update – Town Centre Impact • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme 	
12 December 2022	<ul style="list-style-type: none"> • Strategic management of the Town Centre • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme • 850 Commemorations • Local Plan timings and next steps 	
16 March 2023	<ul style="list-style-type: none"> • Strategic Management of the Town Centre/NUL BID • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme • Borough Local Plan • Housing Provision – set up Working Group 	
8 June 2023	<ul style="list-style-type: none"> • HS2 Update • Borough Local Plan • Neighbourhood Planning • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme 	<p>Including consultation responses and housing numbers</p> <p>Including an update on York Place and the Multi-Storey Car Park</p>
12 June 2023	<ul style="list-style-type: none"> • Local Plan Reg 18 Call In – TBC 	Meeting date held for potential Reg 18 Call In
21 September 2023	<ul style="list-style-type: none"> • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme 	

	<ul style="list-style-type: none"> • Borough Local Plan • Report of the Housing Task and Finish Group 	
7 December 2023	<ul style="list-style-type: none"> • Planning Enforcement & Performance • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme • Borough Local Plan • Housing Task & Finish Working Group Final Report 	
18 March 2024	<ul style="list-style-type: none"> • Knutton Master Plan • Future High Streets Fund and Town Deals for Kidsgrove and Newcastle under Lyme • Borough Local Plan 	
20 th June 2024	<ul style="list-style-type: none"> • Local Plan Update • Town Deal and Future High Street Fund Update 	Officer: Allan Clarke Officer: Joanne Halliday
11 th July 2024 Special meeting	<ul style="list-style-type: none"> • Presentation of Local Plan 	Officer: Allan Clarke
11 th September 2024	<ul style="list-style-type: none"> • Local Plan Update • Town Deal and Future High Street Fund 	Officer: Allan Clarke Officer: Simon McEneny

Last updated on 28th November 2024